

THE WATSONVILLE LAW CENTER



September 14, 2006

Ms. Jessica Hecht
Consumer Service and Information Division, 2nd Floor
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Re: Comments on Draft Report: Challenges Facing Consumers With Limited English Skills in the Rapidly Changing Telecommunications Marketplace

Dear Ms. Hecht:

The Watsonville Law Center submits these comments on the *Draft Report: Challenges Facing Consumers with Limited English Skills in the Rapidly Changing Telecommunications Marketplace* ("Draft Report"). The Watsonville Law Center provides legal and educational services to English and Spanish-speaking individuals and families in Santa Cruz, Monterey, and San Benito counties, primarily to low-income members of rural communities. Many members of our service community are limited English proficient ("LEP") or mono-lingual Spanish speakers, recent immigrants, and migrant agricultural workers. The Watsonville Law Center has provided consumer legal and educational services to our community in the area of telecommunications as a partner of the Communities for Telecom Rights project of the California Consumer Protection Foundation since 2003.

The Watsonville Law Center thanks the California Public Utility Commission ("CPUC") Commissioners and staff for performing a study of the challenges faced by LEP consumers in California and compiling the Draft Report. We are aware other community-based organizations, including Communities for Telecom Rights, are submitting detailed responses to the Draft Report voicing the concerns of LEP consumers and we limit our brief comments to areas of special concern for our community.

The Watsonville Law Center joins other LEP community-based organizations in calling for a formal rule to ensure fair and informed participation of all California consumers in the telecommunications marketplace.

Our experience serving primarily Spanish-speaking LEP consumers in Santa Cruz, Monterey, and San Benito counties compels us to request a formal rule ensuring full translations of contracts or in-language disclosures of key terms and conditions for consumers who negotiate contracts in languages other than English.

All major wireless telephone carriers in California advertise in languages other than English and employ written contracts for service but none consistently provide written translations or in-language disclosures of key terms and conditions to their LEP customers. A telecom consumer's rights arise primarily from the terms of the written service contract with the carrier. In our direct experience serving LEP consumers, non-English speaking consumers are marketed to and sold telecommunications equipment and services in languages other than English but are routinely, perhaps universally, required to sign English language contracts they are unable to read. This predatory practice, to the best of our knowledge, is universal in California and requires immediate redress.

The Draft Report should be amended to accurately reflect the need for in-language disclosures of key terms and conditions as a major concern of LEP community-based organizations.

The Watsonville Law Center requests that the Executive Summary of the Draft Report section titled "Community Based Organizations' Concerns" be corrected to include full translations of contracts or in-language disclosures of key terms and conditions for consumers who negotiate contracts in languages other than English. The current Draft Report fails to accurately reflect the virtually unanimous requests of LEP community-based organizations throughout California for a formal in-language disclosure rule.

Study goals should prioritize gathering information regarding telecommunication services for and interactions with LEP consumers.

The CPUC is in a unique position to gather information regarding the current state of telecommunication services for LEP consumers. The CPUC should prioritize gathering information about current services provided to LEP consumers and encourage the monitoring and investigation of LEP consumer complaints by telecom carriers. Existing rules require carriers to log customer service complaints and report that information to the CPUC. The Watsonville Law Center requests that the CPUC enforce existing reporting requirements and produce regular reports available to the public in a form allowing informed public participation in regulatory proceeding such as the present request for comments.

Thank you for your attention to the concerns of LEP communities, we look forward to viewing the final draft of your report.

Respectfully Submitted,

Henry Martin
Staff Attorney